

Appl. No.: 09/868,549
Response dated February 27, 2004
Reply to Office action of December 3, 2003

Remarks

Favorable consideration and allowance of the instant application is respectfully requested in view of the foregoing amendments to the claims, and the remarks which follow.

Claims 10-21 and 23 are pending in this application. Claims 1-9 and 22 have been cancelled.

The Examiner's rejections, as they pertain to the patentability of the claims, are respectfully traversed.

Claim 22 is rejected under 35 U.S.C. § 102(b) as being anticipated by Okumura et al. (US 4,140,657). This rejection is respectfully traversed for the following reasons.

Claim 22 has been cancelled, without prejudice. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 16-19 and 21 are rejected under 35 U.S.C. § 102(b) as being anticipated by DE (4203031). This rejection is respectfully traversed for the following reasons.

Initially, Applicant would like to note that it is very well settled that a factual determination of anticipation requires the disclosure, in a single reference, of each and every element of the claimed invention, and an Examiner must identify wherein each and every facet of the claimed invention is disclosed in the applied reference. See, In re Levy, 17 USPQ2d 1561 (Bd. Pat. App. & Inter. 1990). Applicant respectfully submits that the DE '031 reference fails to anticipate the claimed invention on the grounds that it fails to disclose each and every element thereof.

One of the claimed process steps involves the provision of an aqueous paste containing a fatty alcohol sulfate. Nowhere does the DE '031 reference disclose this element of the claimed invention. The anionic surfactants disclosed in the reference are said to be solid, the only liquid one being the nonionic surfactants. Consequently, since the above-reference element of the claimed invention is not disclosed by the DE '031 reference, it cannot serve to anticipate the present invention.

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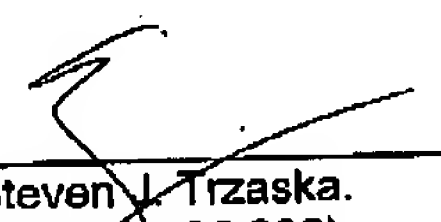
Accordingly, for all of the above-stated reasons, reconsideration and withdrawal of this rejection is respectfully requested.

It is believed that the foregoing reply is completely responsive under 37 CFR 1.111 and that all grounds for rejection are completely avoided and/or overcome. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

The Examiner is requested to telephone the undersigned attorney if any further questions remain which can be resolved by a telephone interview.

Respectfully submitted,

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